

AMENDED IN ASSEMBLY JUNE 1, 2005

AMENDED IN ASSEMBLY MAY 27, 2005

AMENDED IN ASSEMBLY MAY 10, 2005

AMENDED IN ASSEMBLY APRIL 13, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 717

**Introduced by Assembly Member Gordon
(Principal coauthor: Assembly Member Jerome Horton)**

February 17, 2005

An act to add and repeal Section 1254.3 of the Health and Safety Code, ~~relating to health facilities, and declaring the urgency thereof, to take effect immediately.~~ *Code, relating to health facilities.*

LEGISLATIVE COUNSEL'S DIGEST

AB 717, as amended, Gordon. Centinela Airport Clinic: emergency care.

Existing law provides for the licensure and regulation of health facilities by the State Department of Health Services. Existing law requires the department to license a health facility to provide basic services associated with the type of health facility. Existing law authorizes the department to grant a special permit for a health facility to provide one or more special services, including emergency center services.

Existing law requires the department to issue a single consolidated license to a general acute care hospital that includes more than one physical plant maintained and operated on separate premises or that has multiple licenses for a single health facility on the same premises

if the general acute care hospital meets certain criteria and applicable requirements of licensure.

This bill would provide that, notwithstanding any other provision of law regarding reimbursement rates Centinela Airport Clinic shall receive private and government reimbursement rates equivalent to that of a contiguous emergency department of a general acute care hospital if the clinic meets 7 conditions.

The bill would require the Los Angeles County Emergency Medical Services Agency to report to the Legislature by May 1, 2008, on the effect the clinic has had on the quality of emergency health care services provided to the community served, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Centinela Airport Clinic serves a
- 2 critical role in the provision of emergency services in Los
- 3 Angeles County.
- 4 (b) In the event of a disaster, terrorist attack, or other major
- 5 event at the Los Angeles International Airport, the Centinela
- 6 Airport Clinic's strategic proximity to the airport provides an
- 7 indispensable emergency center for triage and basic life-support
- 8 levels of emergency care.
- 9 (c) The Centinela Airport Clinic is the first freestanding
- 10 ambulance receiving facility in California approved by a local
- 11 emergency medical services agency to receive 911 telephone
- 12 system basic life-support patients.

1 (d) The Centinela Airport Clinic is located in a geographic
2 area that has a critical shortage of available emergency room
3 services due to the closure of Robert F. Kennedy Medical Center
4 and service changes at King Drew Medical Center.

5 (e) The Centinela Airport Clinic currently is being reimbursed
6 at urgent care rates for 911 telephone system transport patients
7 and these rates fall below the cost of treating these patients.

8 (f) The Centinela Airport Clinic cannot continue to receive
9 911 transport patients for the 2005 calendar year and thereafter at
10 reimbursement rates that do not match the acuity level of the
11 patients.

12 SEC. 2. Section 1254.3 is added to the Health and Safety
13 Code, to read:

14 1254.3. (a) Notwithstanding any other provision of law
15 regarding reimbursement rates, Centinela Airport Clinic shall
16 receive private and government reimbursement rates equivalent
17 to that of a contiguous emergency department of a general acute
18 care hospital if the clinic meets all of the following requirements:

19 (1) Complies with all requirements applicable to a general
20 acute care hospital emergency department, except that as an
21 emergency receiving center, it may be a separate freestanding
22 facility and not contiguous to a general acute care hospital.

23 (2) Is open 24 hours per day, 365 days per year.

24 (3) Maintains laboratory service capable of providing
25 necessary radiology services.

26 (4) Is staffed by licensed physicians and surgeons who have
27 medical staff privileges at a general acute care hospital and
28 access to the general acute care hospital's oncall panel.

29 (5) Is staffed by licensed nurses in compliance with Section
30 1276.4.

31 (6) Is capable of transferring patients in need of a higher level
32 of care to an appropriate hospital.

33 (7) Provides data to the department and the local emergency
34 medical services agency to enable monitoring of the success of
35 the Centinela Airport Clinic, including the following
36 information:

37 (A) Acuity levels of patients.

38 (B) Patient transfer times to a higher level of care, measured
39 from the time of the decision to transfer, to the time the patient is
40 in route to the receiving hospital.

1 (C) The number of higher level of care transfers conducted
2 through the 911 telephone system.

3 (8) Does not advertise or use signage indicating it is an
4 emergency department.

5 (9) Has a written agreement with the local emergency medical
6 services agency authorizing the pilot program, and complies with
7 all policies and procedures for receiving basic life-support
8 patients only.

9 (b) The Los Angeles County Emergency Medical Services
10 Agency shall report to the Legislature on or before May 1, 2008,
11 about the effect that Centinela Airport Clinic has had on the
12 quality of emergency health care services provided to the
13 community served by the clinic. The report shall include, at
14 minimum, the following:

15 (1) The number of patients transported to Centinela Airport
16 Clinic by ambulance.

17 (2) The reimbursement to Centinela Airport Clinic for patients
18 whose care was reimbursed, in whole or in part, by the State of
19 California, including the Medi-Cal program, the California
20 Childrens' Services Program, the Healthy Families Program, or
21 by a health plan contracting with the California Public
22 Employees' Retirement System, as compared to the
23 reimbursement rate the clinic would have received had it not
24 been reimbursed as a contiguous emergency department of an
25 outpatient acute care hospital. The clinic shall furnish this
26 information to the Los Angeles County Emergency Medical
27 Services Agency.

28 (3) The effect of Centinela Airport Clinic on any reductions in
29 wait times, to the extent that this information is available, and
30 ambulance diversion at surrounding hospital emergency
31 departments.

32 (c) This section shall remain in effect only until January 1,
33 2009, and as of that date is repealed, unless a later enacted
34 statute, that is enacted before January 1, 2009, deletes or extends
35 that date.

36 SEC. 3. The Legislature finds and declares that because of the
37 unique circumstances applicable only to the Centinela Airport
38 Clinic, a statute of general applicability cannot be enacted within
39 the meaning of subdivision (b) of Section 16 of Article IV of the

1 California Constitution. Therefore, this special statute is
2 necessary.

3 SEC. 4. If the Commission on State Mandates determines that
4 this act contains costs mandated by the state, reimbursement to
5 local agencies and school districts for those costs shall be made
6 pursuant to Part 7 (commencing with Section 17500) of Division
7 4 of Title 2 of the Government Code.

8 ~~SEC. 5. This act is an urgency statute necessary for the~~
9 ~~immediate preservation of the public peace, health, or safety~~
10 ~~within the meaning of Article IV of the Constitution and shall go~~
11 ~~into immediate effect. The facts constituting the necessity are:~~

12 ~~Notwithstanding that the Centinela Airport Clinic provides~~
13 ~~essential emergency care services to a geographic region that is~~
14 ~~facing a critical shortage in available emergency care services,~~
15 ~~the Centinela Airport Clinic will be unable to continue serving as~~
16 ~~a basic life-support ambulance receiving center for the 2005~~
17 ~~calendar year and thereafter if reimbursement continues to fall~~
18 ~~short of the cost of treating patients. Therefore, in order to ensure~~
19 ~~the viability of the clinic by increasing reimbursement rates to~~
20 ~~match the level of care provided as soon as possible, it is~~
21 ~~necessary that this act take effect immediately.~~